

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

**IN RE:  
GARRY DERO PRUITT**

**CASE NO. 14-70008 - HDH -13**

**Hearing Date: 3/12/2014**

**DEBTOR(S)**

**Hearing Time: 10:00 AM**

**TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN**

**TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:**

COMES NOW WALTER O'CHESKEY, Standing Chapter 13 Trustee (hereinafter referred to as Trustee), and files this Objection to Confirmation in opposition to confirmation of Debtors' Chapter 13 Plan and Motion for Valuation filed herein by the above debtor(s), and would respectfully show the Bankruptcy court:

- 1 Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on 1/16/2014.
- 2 Debtor(s) are below median income per 11 U.S.C. Sec. 1325 (b)(4).
- 3 Trustee alleges the Debtor's Plan proposes the incorrect attorney fee. The Debtor's Plan provides for \$4,000.00 of legal fees, however, the Disclosure of Compensation of Attorney for Debtor indicates \$336.00 was paid prior to filing.
- 4 Trustee alleges Debtor's Plan fails to provide treatment for a priority claim filed by the IRS in the amount of \$12,307.56 for 2010 through 2013 income taxes.
- 5 Trustee is unable to determine feasibility of the proposed Plan base and objects to confirmation in accordance with 11 U.S.C. 1325 (a)(6).

WHEREFORE, the Trustee prays that the Bankruptcy Court deny Confirmation of the Debtor(s) Chapter 13 Plan and Motion for Valuation and for such other relief to which this bankruptcy estate may be justly entitled.

Date: 3/5/2014

Respectfully submitted,  
/s/ Walter O'Cheskey  
6308 Iola Avenue  
Lubbock, TX 79424

I hereby certify that a true and correct copy of the foregoing Trustee's Objection to Confirmation was this date served on the following parties at the addresses listed below by electronic service or by U.S. First Class Mail:

Debtor(s) Attorney  
MONTE J WHITE  
ATTORNEY AT LAW  
1106 BROOK AVE HAMILTON PLAC  
WICHITA FALL TX 76301-0000

Debtor(s)  
GARRY DERO PRUITT  
  
7309 FM 1749  
  
SUNSET TX 76270

Date: 3/5/2014

/s/ Walter O'Cheskey  
Office of the Standing Trustee

GARRY DERO PRUITT  
7309 FM 1749  
SUNSET TX 76270